

Herbert A. Viergutz, Esq.  
Barokas Martin & Tomlinson  
1029 West Third, Suite 280  
Anchorage, AK 99501  
Phone: (907) 276-8010  
Facsimile: (907) 276-5334

Attorneys for United States Fidelity and Guaranty Company

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT ANCHORAGE**

UNITED STATES OF AMERICA for the use of NORTH STAR  
TERMINAL & STEVEDORE COMPANY, d/b/a NORTHERN  
STEVEDORING & HANDLING, and NORTH STAR TERMINAL &  
STEVEDORE COMPANY, d/b/a NORTHERN STEVEDORING &  
HANDLING, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of SHORESIDE  
PETROLEUM, INC., d/b/a MARATHON FUEL SERVICE, and  
SHORESIDE PETROLEUM, INC., d/b/a MARATHON FUEL  
SERVICE, on its own behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER ROCK  
PRODUCTS, INC.; UNITED STATES FIDELITY AND GUARANTY  
COMPANY; and ROBERT A. LAPORE,

Defendants.

No. 3:98-cv-9 (HRH)

**MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF S PUNITIVE DAMAGE CLAIM**

COMES NOW the Defendant, United States Fidelity & Guaranty Company (hereinafter "USF&G"), by and through its counsel of record, Barokas Martin & Tomlinson, and herein moves for Summary Judgment on Plaintiff's Punitive Damage Claim.

Dated this 1st day of May, 2006.

/s Herbert A. Viergutz

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1029 West Third, Suite 280  
Anchorage, AK 99501  
Phone: (907) 276-8010 Facsimile: (907) 276-5334  
[barmar@gci.net](mailto:barmar@gci.net)  
Alaska Bar No. 8506088

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this document was served by electronic notification on this 1st day of May, 2006, to:

Michael W. Sewright, Esq.  
Burr, Pease & Kurtz  
810 N Street  
Anchorage, AK 99501

Paul Stockler, Esq.  
1309 West 16<sup>th</sup> Avenue  
Anchorage, AK 99501

Traeger Machetanz, Esq./Tom Krider, Esq.  
Oles Morrison Rinker & Baker, LLP  
745 4th Avenue, Suite 502  
Anchorage, AK 99501-2136

Steven J. Shamburek, Esq.  
Law Office of Steven J. Shamburek  
425 G Street, Suite 630  
Anchorage, AK 99501-5872

/s Herbert A. Viergutz